

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

*In Re: Methyl Tertiary Butyl Ether (“MTBE”)
Products Liability Litigation*

This document relates to:

*Commonwealth of Puerto Rico v.
Shell Oil, et al.,*
USDC-SDNY Civ. No. 07-10470(VSB)
USDC-PR Civ. No. 07-01505 (CCC)

*Commonwealth of Puerto Rico v.
Shell Oil, et al.,*
USDC-SDNY Civ. No. 14-01014 (VSB)
USDC-PR Civ. No. 13-01678 (ADC)

Master File No. 1:00 – 1898
MDL 1358 (VSB)
M21-88

Civil Action

**JOINT STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE
UNDER FED. R. CIV. P. 41(A)(2) AS TO PEERLESS OIL AND CHEMICAL, INC.**

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff, the Commonwealth of Puerto Rico and the Commonwealth of Puerto Rico through the Puerto Rico Environmental Quality Board (“Plaintiff”), and defendant Peerless Oil and Chemical, Inc. (“Peerless” and together with Plaintiff “the Parties”) request the Court to enter an agreed stipulated Order dismissing *with prejudice* all claims against Peerless.

WHEREAS, Peerless was served with process in the cases No. 07-cv-01505 (CCC) (“Puerto Rico 1”) and Case No. 13-cv-01678 (ADC) (“Puerto Rico 2”) initially filed in the United States District Court for the District of Puerto Rico, which were consolidated in MDL 1358 in the United States District Court for the Southern District of New York, Civil Case Nos. 07-Civ-10470(VSB) and 14-01014 (VSB) (hereafter referred to as “the Litigation”).

WHEREAS, Peerless served answers in the Litigation.

WHEREAS, The Parties have agreed to the dismissal *with prejudice* of Peerless from the Litigation. The Parties have agreed that each shall bear their own costs, expenses, and attorney fees.

WHEREFORE, the Parties request this Court to enter the proposed stipulated Order of Dismissal with Prejudice under Rule 41(a)(2) of the Federal Rules of Civil Procedure, costs and expenses to be borne by the party incurring them.

RESPECTFULLY SUBMITTED.

In New York, New York, this 31st day of August, 2022.

***Attorneys for Plaintiff The Commonwealth
of Puerto Rico***

DOMINGO EMANUELLI HERNÁNDEZ
Secretary of Justice

SUSANA I. PEÑAGARÍCANO-BROWN
Deputy Secretary in Charge of Litigation
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s/ John K. Dema

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